

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

JOHN DEATON  
*Plaintiff,*

vs.

C.A. No. 1:20-cv-00015  
*{Superior Court C.A. No. PC-2019-12102}*

TOWN OF BARRINGTON, By and through  
Its TOWN MANAGER JAMES CUNHA,  
OFFICER DAVID WYROSTEK, OFFICER  
ANTHONY DECRISTOFORO,  
LT. TIMOTHY HARRINGTON,  
CHIEF JOHN LACROSS, Individually,  
and in their official capacities as police officers  
for the Town of Barrington, RI, inclusive.  
*Defendants.*

**DEFENDANTS' NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. § 1441 et seq., Rule 81(c) of the Federal Rules of Civil Procedure, and Local Civil Rule 81 of the United States District Court for the District of Rhode Island, Defendants, Town of Barrington, by and through its Town Manager, James Cunha, Officer David Wyrostek, Officer Anthony DeCristoforo, Lt. Timothy Harrington, Chief John LaCross, individually, and in their official capacities as police officers for the Town of Barrington, RI, inclusive, allege as follows:

1. Town of Barrington, by and through its Town Manager, James Cunha, Officer David Wyrostek, Officer Anthony DeCristoforo, Lt. Timothy Harrington, Chief John LaCross, individually, and in their official capacities as police officers for the Town of Barrington, RI, inclusive (“defendants”), are defendants in the civil action filed in Providence County Superior Court, entitled, **John Deaton v. Town of Barrington, by and through its Town Manager, James Cunha, Officer David Wyrostek, Officer Anthony DeCristoforo, Lt. Timothy Harrington, Chief John LaCross, individually, and in**

*Deaton v. Barrington*  
*C.A. No. 1:20-cv-00015*

**their official capacities as police officers for the Town of Barrington, RI, inclusive,**

**C.A. No. PC-2019-12102.**

2. Attached hereto is a copy of the complaint filed in the case being removed, pursuant to Local Civil Rule 81(a).
3. This Notice of Removal is filed timely under 28 U.S.C. § 1446(b).
4. The above described action, as stated in plaintiffs' complaint, is one of which this Court has original federal question jurisdiction, pursuant to the provisions of 28 U.S.C. § 1331, and is therefore one which may be removed to this Court by these defendants, pursuant to the provisions of 28 U.S.C. § 1441(a)-(d).
5. This Notice of Removal is filed on behalf of these defendants.
6. A copy of this Notice of Removal will be filed promptly in the Court from which the case is being removed, pursuant to Local Rule 81(a)(1).
7. Within fourteen (14) days after filing this Notice of Removal, the party filing this notice shall do whatever is necessary to enable the clerk of the state court to assemble and electronically transmit a certified copy of the docket sheet and all documents filed in the case being removed, pursuant to Local Civil Rule 81(b).

Defendants,  
By their Attorney,

/s/ Marc DeSisto  
Marc DeSisto, Esq. (#2757)  
DeSisto Law LLC  
60 Ship Street  
Providence, RI 02903  
(401) 272-4442  
[marc@desistolaw.com](mailto:marc@desistolaw.com)

*Deaton v. Barrington*  
*C.A. No. 1:20-cv-00015*

CERTIFICATION OF SERVICE

I hereby certify, that on this 10<sup>th</sup> day of January 2020, I electronically served this document through the electronic filing system upon the following parties:

John E. Deaton, Pro Se.  
[All-Deaton@deatonlawfirm.com](mailto:All-Deaton@deatonlawfirm.com)

The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/s/ Marc DeSisto